



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: May 14, 2007
EXPIRATION DATE: June 14, 2007
REFERENCE NUMBER: POA-2007-709-4
WATERWAY: Frederick Sound

Interested parties are hereby notified that a Department of the Army (DA) permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

APPLICANT: Mr. Dan Ewert, 14760 Shoreline Lane, Lake Park, MN 56554.

AGENT: Mr. Kenneth H. Elmore, P.E., P.O. Box 371, Petersburg, Alaska 99833; phone 907 340-6742 or 772-3284.

LOCATION: The project site is located within Section 14, T. 60 S., R. 79 E., Copper River Meridian; at Latitude 56.750° N., Longitude 132.766° W.; USGS map Petersburg D-3; Lot 8, Block 1, Frederick Point East Subdivision, approximately 8 miles southeast of Petersburg, Alaska.

PURPOSE: The applicant's stated purpose is to construct an on-site domestic wastewater system for a seasonal-use residence.

PROPOSED WORK: Place 180 cubic yards of clean gravel and sand to construct a treatment system for grey water including a 55-gallon treatment/filter tank and an 8-foot by 14-foot soil absorption bed in a raised mound. Native soil excavated for the system would be re-used to cover the mound. Less than 0.1-acre of wetland would be affected.

ADDITIONAL INFORMATION: Materials and equipment would be barged to the site. The cabin will be placed on piles and not require DA authorization. All work would be located above the High Tide Line.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known range of the endangered humpback whale (*Megaptera novaeangliae*) and threatened Steller sea lion (*Eumetopias jubatus*). No threatened or endangered species use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Preliminarily, the described activity will not affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the

conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ms. Mary Leykom at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at mary.f.leykom@poa02.usace.army.mil, if further information is desired concerning this notice.

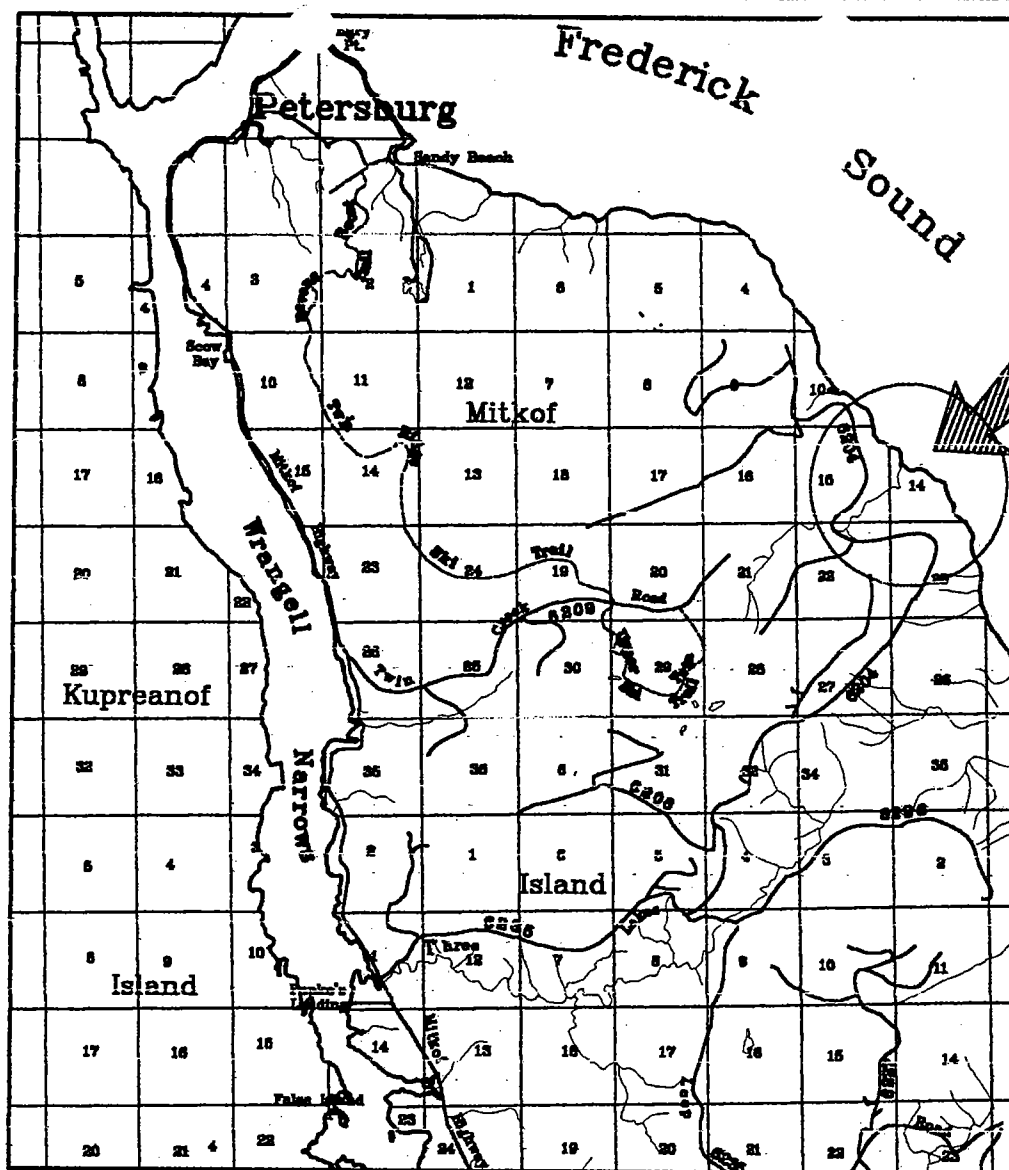
AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

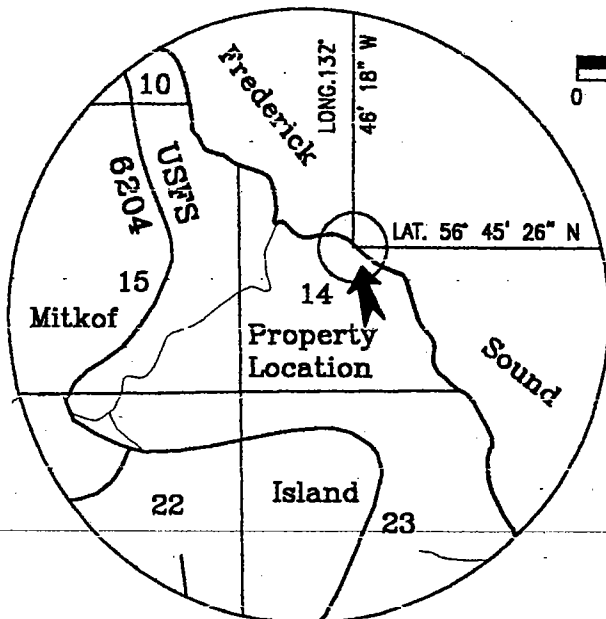
Project drawings, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

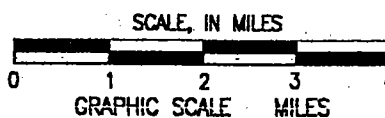
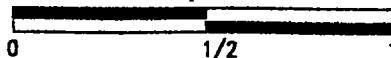


VICINITY MAP: USGS QUAD's, Petersburg C-3, Petersburg D-3



PROPERTY LOCATION MAP

SCALE, IN MILES



GRAPHIC SCALE MILES



WRANGELL NARROWS:

Project Location: Near Pape's Landing,
11 Miles South of Petersburg, AK

KENNETH H. ELMORE, P.E.

P.O. Box 371, Petersburg, AK 99833

DATE PREPARED:
2-12-2007

APPLICANT:
Dan Ewert

Dan Ewert
POA-2007-709-4 Frederick Sound
8 miles SE of Petersburg, Alaska
Location Map
Sheet 1 of 3
May 2007

Sec
Sec

PROPOSED 35 FT. BY 40 FT., 3-BEDROOM CABIN
WITH COMMERCIALLY MANUFACTURED COMPOSTING
OR INCINERATING TOILET

PROPOSED 10,000 GALLON
POTABLE WATER STORAGE
TANK, WITH SEALED BOTTOM

PROPOSED 55 GALLON PLASTIC
GRAYWATER TREATMENT TANK WITH
500 MICRON FILTER BAGS ON INFLOW
AND OUTFLOW PIPES INSIDE DRUM,
AND WITH PIPE PENETRATIONS
SEALED

PROPOSED 8 FT. BY 14 FT. GRAYWATER
SOIL ABSORPTION BED IN RAISED MOUND
TO MEET MINIMUM ALASKA BURY DEPTH
DEPTH REQUIREMENTS, TYP.

LOT 7
BLOCK 1

LOT 8
BLOCK 1

LOT 9
BLOCK 1

LOT 2
BLOCK 2

LOT 8 DEVELOPMENT

FREDERICK POINT EAST SUBDIVISION

NOTES:

1. Purpose: Construction of Shot Rock Foundation Pad for Future Construction of Storage Building plus Exterior Storage
2. DATUM: U.S. Coast & Geodetic Survey Cap, at Petersburg, AK.
3. Property Description: Lot 8, Block 1, Frederick Point East Subdivision, Section 14, T. 59 S., R. 80 E., C.R.M.
4. Project Location: 8 Miles southeast of Petersburg, Alaska, on Mitkof Island.
5. Adjacent Property Owners:
 Lot 7, Block 1: Irene Roundtree, P.O. Box 552, Petersburg, AK 99833
 Lot 8, Block 1: Dan & Darcy Ewert, 14760 Shoreline Lane, Lake Park, MN 56554
 Lot 9, Block 1: John Pickens, P.O. Box 1478, Petersburg, AK 99833
 Lot 1, Block 2: Lynn Marie Smith, P.O. Box 848, Petersburg, AK 99833
 Lot 2, Block 2: Theodore Merwyn Smith, P.O. Box 841, Petersburg, AK 99833
 Lot 3, Block 2: Kathryn Chaney, P.O. Box 1276, Petersburg, AK 99833

PROJECT NUMBER:
WRANGELL NARROWS:

KENNETH H. ELMORE, P.E.
P.O. Box 371, Petersburg, AK 99833

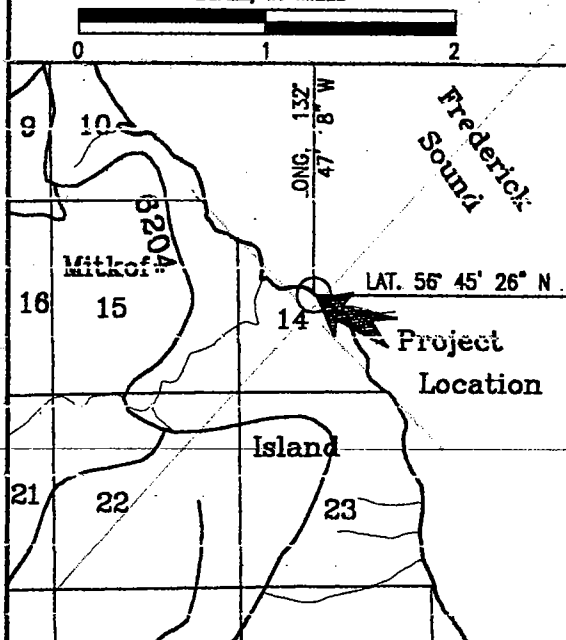
DATE PREPARED:
3-21-2007

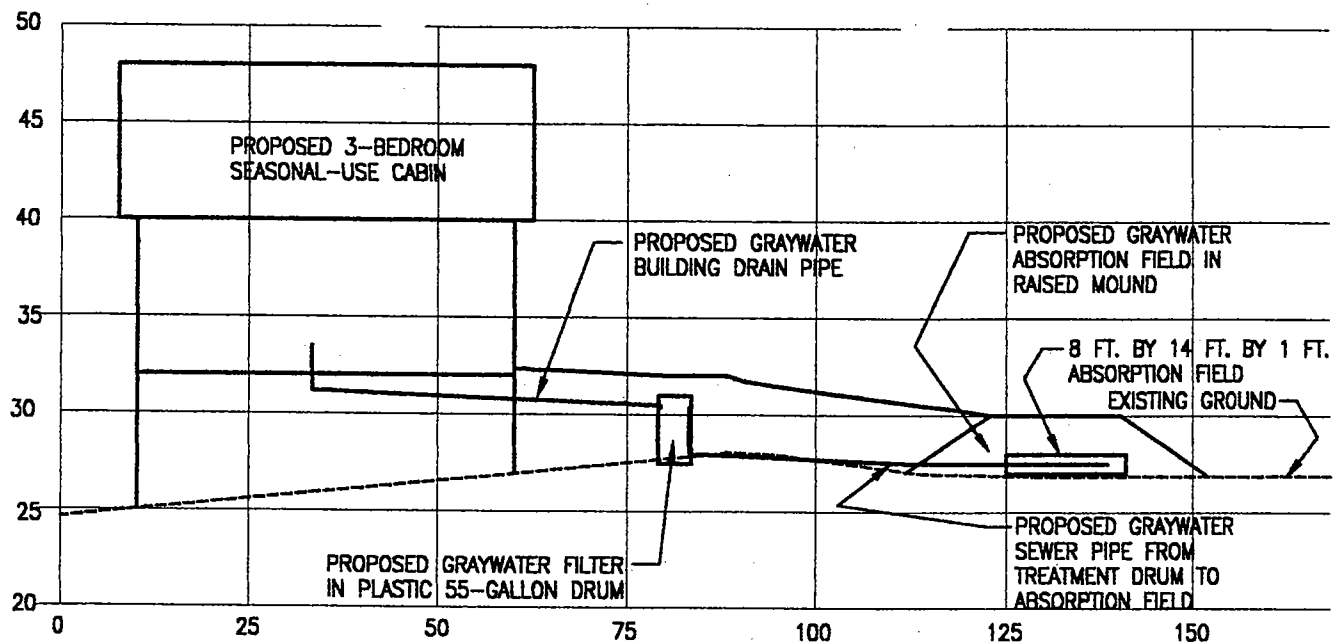
APPLICANT:
Dan Ewert

Dan Ewert
POA-2007-709-4 Frederick Sound
8 miles SE of Petersburg, Alaska
Plan View
Sheet 2 of 3
May 2007

0 10203040 50 100
GRAPHIC SCALE FEET (HORIZONTAL)

VICINITY MAP: USGS QUAD, Petersburg D-3
SCALE, IN MILES





WASTEWATER SYSTEM PROFILE VIEW

VERTICAL SCALE EXAGGERATED BY FACTOR OF 2.0
RELATIVE TO HORIZONTAL SCALE

2 FT. MINIMUM THICKNESS LAYER OF TOPSOIL AND GRASS, AND 2" THICK RIGID FOAM INSULATION MOUNDED OVER ABSORPTION LAYER TO MEET BURY DEPTH IN 18 AAC 72.035

INSTALL GEOTEXTILE FABRIC AROUND ABSORPTION FIELD BED (MIRAFI 600 OR EQUAL)

1 FT. LAYER
1 1/2" TO 1/2"
SCREENED DRAIN ROCK

INSTALL MINIMUM 12-INCH THICK LAYER OF CLEAN CORSE SAND FOR CUSHIONING OF GEOTEXTILE AND EFFLUENT DISPERSAL

3 FT. MINIMUM THICKNESS LAYER OF SANDY GRAVEL SOIL MATERIAL ABOVE PROJECTED WATER TABLE

PROJECTED WATER TABLE

TOPSOIL LAYER ELEV. +30.0

ELEV. +28.0

6 INCHES, TYP.

ELEV. +27.0

4" Ø PERFORATED ABS PIPES, TYP.

8 FT.

TOPSOIL LAYER

FEATHER INTO EXISTING GROUND

ABSORPTION FIELD SECTION VIEW

NOT TO SCALE

EXCAVATE EXISTING HARDPAN/ROCK TO ELEVATION 36.0 AT ABSORPTION FIELD LOCATION TO FORM BENCH FOR ABSORPTION FIELD

COVER, SCREWED OR BOLTED TO TREATMENT BARREL

GRAYWATER PIPE FROM CABIN

55-GALLON PLASTIC DRUM TREATMENT TANK

500 MICRON BAG FILTERS WITH DRAWSTRING ATTACHMENTS ON BOTH INFLOW AND OUTFLOW PIPES

GRAYWATER TREATMENT TANK

NOT TO SCALE

PERFORATE VERTICAL LEG OF OUTFLOW PIPE INSIDE FILTER BAG - DRILL 3/8" Ø HOLES AT THIRD POINTS OF PIPE CIRCUMFERENCE, SPACED 2" ON CENTER

GRAYWATER OUTFLOW PIPE TO ABSORPTION FIELD

KENNETH H. ELMORE, P.E.

P.O. Box 371, Petersburg, AK 99833

DATE PREPARED:
04-05-2007

APPLICANT:
Dan Ewert

Dan Ewert

POA-2007-709-4 Frederick Sound

8 miles SE of Petersburg, Alaska

Profile

Sheet 3 of 3

May 2007

SARAH PALIN, GOVERNOR

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
POST OFFICE BOX 111030, MS 1030
JUNEAU, ALASKA 99801-1030
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-2007-709-4, Frederick Sound**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting (OPMP). For information about this consistency review, contact OPMP at the address or phone number above, or visit the ACMP web site at <http://www.alaskacoast.state.ak.us//Projects/projects.html>.

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
410 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1795
PHONE: (907) 465-5321/FAX: (907) 465-5274

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2007-709-4, Frederick Sound**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.